

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JARRETT PAYNE, ANDIE MALI, CAMILA GINI, VIDAL
GUZMAN, VIVIAN MATTHEW KING-YARDE,
CHARLIE MONLOUIS-ANDERLE, JAMES LAUREN,
MICAELA MARTINEZ, JULIAN PHILLIPS, NICHOLAS
MULDER and COLLEEN MCCORMACK-MAITLAND,

Plaintiffs,

-against-

**STIPULATION AND
ORDER OF VOLUNTARY
DISMISSAL WITH
PREJUDICE PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii)**

20CV08924 (CM) (GWG)

MAYOR BILL DE BLASIO, CHIEF OF DEPARTMENT
TERENCE MONAHAN, CITY OF NEW YORK,
COMMANDING OFFICER OF PATROL BOROUGH
BRONX, CHIEF KENNETH LEHR, SERGEANT MAJER
SALEH, OFFICER BRYAN S. ROZANSKI, OFFICER
JAKUB TARLECKI, SERGEANT KEITH CHENG,
OFFICER MATTHEW TARANGELO, OFFICER
STEPHANIE CHEN, OFFICER TAYLOR CORCORAN,
OFFICER MATTHEW L. PERRY, DETECTIVE DAMIAN
RIVERA, OFFICER BRYAN PIZZIMENTI, OFFICER
JOSEPH DECK, LIEUTENANT MICHAEL BUTLER,
OFFICER AARON HUSBANDS, SERGEANT THOMAS E.
MANNING, OFFICERS JOHN DOE 1-26, OFFICER JANE
DOE 1, OFFICER DOE ESPOSITO and OFFICER
HENSLEY CARABALLO,

Defendants.

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WHEREAS, plaintiffs filed a Complaint on October 26, 2020, a First Amended Complaint on March 5, 2021, and a Corrected Second Amended Complaint on April 25, 2023, alleging that the defendants violated plaintiffs' federal civil and state common law rights; and

WHEREAS, on July 10, 2023, defendant Majer Saleh filed a cross-claim against defendant City of New York; and

WHEREAS, defendants City of New York, Mayor Bill De Blasio, Chief of Department Terence Monahan, Commanding Officer of Patrol Borough Bronx, Chief Kenneth Lehr, Officer Bryan Rozanski, Officer Jakub Tarlecki, Sergeant Keith Cheng, Officer Matthew Tarangelo, Officer Stephanie Chen, Officer Taylor Corcoran, Officer Matthew Perry, Detective Damian Rivera, Officer Bryan Pizzimenti, Officer Joseph Deck, Lieutenant Michael Butler, Officer Aaron Husbands, Sergeant Thomas Manning, and Officer Hensley Caraballo have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, defendant Sergeant Majer Saleh, who is represented by The Quinn Law Firm, PLLC, has denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, defendant City of New York denies any and all liability arising out of defendant Majer Saleh's cross-claims; and

WHEREAS, plaintiffs now seek to voluntarily withdraw and dismiss this action against defendant Majer Saleh with prejudice;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties herein, pursuant to Fed. R. Civ. 41 (a)(1)(A)(ii), as follows:

1. Any and all claims arising out of the events alleged in the Complaint, First Amended Complaint, and Corrected Second Amended Complaint in this matter that were asserted or could have been asserted by or on behalf of plaintiffs, against defendant Majer Saleh, are hereby dismissed and discontinued with prejudice, and without costs, expenses, or attorneys' fees to any party as against the other.

2. Nothing contained herein shall be deemed to be an admission by any defendant that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the

United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This Stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

3. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

4. The parties understand and agree that this stipulation contains the entire agreement between them as to the voluntary dismissal of defendant Sergeant Majer Saleh.

5. This Stipulation shall be binding upon the parties immediately upon signature and shall be submitted to the Court for entry as an Order.

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Dated: New York, New York
May 8, 2024

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Corcoran, Perry, Rivera, Pizzimenti,
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By: 
Marykate Acquisto
Attorney for Defendant Majer Saleh

SO ORDERED:

Hon. Colleen McMahon
United States District Judge

Dated: _____, 2024